	Application No. Applicant(s)		
Notice of Allowability	09/684,026	DEVICO ET AL.	
	Examiner	Art Unit	
	Agnieszka Boesen	1648	
	Agilleszka boeseit	. 1040	
The MAILING DATE of this communication appeal All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in or other appropriate commu IGHTS. This application is s	this application. If not included nication will be mailed in due cou	rse. THIS
1. This communication is responsive to <u>May 15, 2007</u> .			
2. The allowed claim(s) is/are <u>1-3,6-9,11,13-16,24,34,38,40-4</u>	44 and 73-86.		
3. Acknowledgment is made of a claim for foreign priority un	nder 35 U.S.C. § 119(a)-(d) o	or (f).	
a) All b) Some* c) None of the:			•
 Certified copies of the priority documents have 	e been received.		
Certified copies of the priority documents have	e been received in Application	n No	
Copies of the certified copies of the priority do	cuments have been received	I in this national stage application	from the
International Bureau (PCT Rule 17.2(a)).			
* Certified copies not received:			
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		a reply complying with the require	ements
4. A SUBSTITUTE OATH OR DECLARATION must be subminFORMAL PATENT APPLICATION (PTO-152) which give			CE OF
5. CORRECTED DRAWINGS (as "replacement sheets") mus	st be submitted.		
(a) ☐ including changes required by the Notice of Draftspers		(PTO-948) attached	
1) hereto or 2) to Paper No./Mail Date	,		
(b) including changes required by the attached Examiner' Paper No./Mail Date	s Amendment / Comment or	in the Office action of	
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t			;k) of
6. DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT	sit of BIOLOGICAL MATE FOR THE DEPOSIT OF BIO	RIAL must be submitted. Note LOGICAL MATERIAL.	the
	•		
•	•		
Attachment(s)			
1. Notice of References Cited (PTO-892)		ormal Patent Application	
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ☐ Interview Su Paper No./I	ımmary (PTO-413), Mail Date	
3. Information Disclosure Statements (PTO/SB/08),	7. 🛭 Examiner's	Mail Date Amendment/Comment	
Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit	8. Examiner's	Statement of Reasons for Allowar	nce
of Biological Material	9.	· •	
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Application/Control Number: 09/684,026

Art Unit: 1648

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Marianne Fuierer on June 13, 2007.

The application has been amended as follows:

IN THE CLAIMS:

Claims 35, 45, 46, 49-57, 60-63, and 65 are canceled.

Examiner's Comment

Applicant's amendment filed May 15, 2007 is acknowledged and has been entered. An Affidavit of Dr. DeVico filed May 15, 2007 is acknowledged and has been considered.

Conclusion

Claims 1-3, 6-9, 11, 13-16, 24, 34, 38, 40-44, and 73-86 are allowable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Agnieszka Boesen whose telephone number is 571-272-8035. The examiner can normally be reached on Monday – Friday 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bruce Campell can be reached on 571-272-0974. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Page 3

Application/Control Number: 09/684,026

Art Unit: 1648

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AB

Agnieszka Boesen, Ph.D.

6/13/07

BRUCE R. CAMPELL, PH.D SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 1600

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